

## UNITED STATES DISTRICT COURT

for the  
District of South Dakota

In the Matter of the Search of:

The property located at [REDACTED], Rapid City, South Dakota, a single story, single family residence, tan in color with white trim; the numbers "[REDACTED]" are clearly displayed to the left side of the front entrance, more fully described in Attachment A, attached hereto and incorporated by reference.

Case No.

5:18-MJ-66

REDACTED

FILED

MAY 08 2018

Matthew Thibault  
CLERK

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

The property located at [REDACTED], Rapid City, South Dakota, a single story, single family residence, tan in color with white trim; the numbers "[REDACTED]" are clearly displayed to the left side of the front entrance, more fully described in Attachment A, attached hereto and incorporated by reference.

located in the District of South Dakota, there is now concealed (*identify the person or describe the property to be seized*):

See **ATTACHMENT B**, which is attached to and incorporated in this Application and Affidavit

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section  
 [18 U.S.C. § 641]  
 [18 U.S.C. § 1343]

Offense Description  
 [Theft of Government Property]  
 [Wire Fraud]

The application is based on these facts:

- ☒ Continued on the attached affidavit, which is incorporated by reference.  
☐ Your applicant requests that no notice be given prior to the execution of the search warrant, i.e., "no knock", the basis of which is set forth in the attached affidavit.  
☐ Your applicant requests authorization to serve the search warrant any time day or night pursuant to Fed. R. Crim. P. 41(e)(2)(A)(ii), the basis of which is set forth in the attached affidavit.

Applicant's signature

Jeremy Sausto, Assistant Special Agent in Charge  
 General Services Administration, OIG

Printed name and title

Sworn to before me and: ☒ signed in my presence.

☐ submitted, attested to, and acknowledged by reliable electronic means.

Date: 5-8-18

Judge's signature

City and state: Rapid City, SD

Daneta Wollmann, U.S. Magistrate

Printed name and title

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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IN THE MATTER OF THE SEARCH  
OF:

The property located at [REDACTED]  
[REDACTED], Rapid City, South Dakota, a  
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to the left side of the front entrance,  
more fully described in Attachment A.

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CASE NUMBER: 5:18-MJ-66

**REDACTED**

**AFFIDAVIT IN SUPPORT OF  
SEARCH WARRANT  
APPLICATION**

State of South Dakota    )  
  ) ss  
County of Pennington    )

I, Jeremy Sausto, Assistant Special Agent in Charge, General Services Administration (GSA), Office of Inspector General (OIG), being duly sworn, do hereby state:

1. I am a Special Agent assigned to the GSA OIG, and have been so employed since May 2006. As such, I am a law enforcement officer of the United States empowered by law to conduct investigations of and to make arrests for offenses enumerated in Federal law. Prior to my employment as a GSA OIG agent, I was employed as a Special Agent with the U.S. Department of Interior, OIG from March 2003 to May 2006.

2. I investigate violations of Title 18, United States Code, in which GSA and other federal agencies are the victims of fraud and theft. I have training and

experience in the enforcement of the laws of the United States and investigate fraud, waste, and abuse involving GSA programs.

3. I am currently assigned to an investigation of alleged criminal violations of federal laws involving Robert Bland, who lives at [REDACTED], Rapid City, South Dakota, 57703. Bland is the owner of Motive Magic of Rapid City (AKA: Motive Magic Mobile Windshield Repair), which specializes in mobile windshield repair services for the government and commercial industry. Motive Magic's business addresses include [REDACTED], Rapid City, South Dakota, 57703; as well as 3161 Beale Street, Rapid City, South Dakota, 57703. Records from GSA, South Dakota Secretary of State, South Dakota Department of Motor Vehicle, Motive Magic internet website, Facebook, and law enforcement databases such as LexisNexis and CLEAR list Bland and Motive Magic having the address at [REDACTED]. Records from GSA list Motive Magic having an address at 3161 Beale Street and have Bland as Motive Magic's point of contact.

4. The facts set forth in this affidavit are based on my personal knowledge, information obtained in this investigation from others, including other law enforcement officers, my review of documents and other records related to this investigation, and information gained through training and experience. U.S. Department of Health and Human Services OIG Inspector Curt Muller and U.S. Department of Interior OIG Resident Agent in Charge Tony Hoben have also been assigned this investigation and are working it with me. Since this affidavit is being submitted for the limited purpose of supporting an application for a search warrant, I have not included each and every fact known to me concerning

this investigation, but have set forth only those facts necessary to establish probable cause.

5. As outlined below, there is reason to believe that Robert Bland used his business, Motive Magic of Rapid City, to fraudulently charge GSA for numerous windshield repairs that did not occur. These charges were made on numerous vehicles that GSA leased to various federal agencies, to include but not limited to, Department of Health and Human Services (HHS), Department of the Interior (DOI), Department of Agriculture, Army Corp of Engineers, Department of Navy, Department of the Air Force, and the Department of the Army. Bland did this in violation of Title 18, United States Code, Sections 641 and 1343.

#### **GSA FLEET PROGRAM**

6. Based on my training and experience, I am familiar with GSA's federal fleet vehicle program. GSA is responsible for maintaining a fleet of approximately 210,000 vehicles. This includes leasing vehicles to federal agencies as well as providing a mechanism for agencies to fuel and provide necessary maintenance and repairs for these vehicles. With the exception of a very limited number of customer agencies who provide their own fuel and maintenance, a majority of GSA customers are under a "rate structure" lease. This means that fuel and maintenance is built into the cost of the lease.

7. GSA contracts with a company named Wright Express (WEX), which provides vehicle leasees and drivers with a credit card that they use to purchase fuel, maintenance, and necessary repairs to their leased vehicles. The credit

cards are referred to as WEX cards and there is a number on the WEX cards that matches the license plate number on the leased vehicle. GSA WEX cards operate similar to standard credit cards; however, what makes them differ from standard credit cards is that they are specific to and are only authorized to be used on the vehicles they are assigned to.

8. When fuel, maintenance, or repairs are needed for a GSA-leased vehicle, the driver uses the vehicle's WEX card to pay for this. When purchasing fuel, the driver is required to enter the vehicle's mileage and correct six-digit driver ID number (which is also the license plate number) into the pump's electronic payment system or at the gas station counter. Maintenance vendors can also swipe the WEX card for repairs \$100 or less and they also have to enter the vehicle's mileage and correct six-digit driver ID number (license plate) in order to receive payment for the repairs.

9. There are some vendors that do not take WEX cards as a form of payment. When this happens, the vendor is required to contact GSA's Maintenance and Control Center (MCC) to obtain payment and if the repair is \$100 or less, the vendor is redirected to a WEX operator, who provides them with payment via a centrally billed MasterCard. WEX requires the vendor who is requesting payment to provide them with the license plate number, odometer reading, total cost of the maintenance and/or repair being performed, and the type of repair that was done prior to issuing payment. If the repair is over \$100, the MCC handles the call and requires the vendor to obtain approval of the repair

prior to the work being done and then the MCC issues the vendor payment via a centrally billed MasterCard after the repair is completed.

10. GSA has a division referred to as the Loss Prevention Team (LPT), which conducts analytical reviews of the GSA-leased vehicles and their associated WEX cards in order to safeguard the fleet program, look for potential fraud and misuse within the program. The LPT uses GSA and WEX databases to look for irregularities and patterns of potential misuse within the fleet program. When they find instances of potential fraud or misuse, they refer these matters to the GSA OIG for review, which could result in an audit or investigation.

#### **THE INVESTIGATION**

11. On May 30, 2017, GSA's LPT Specialist Jaime Habersat sent a referral to the GSA OIG in Denver, CO, regarding possible fraud involving a GSA WEX card vendor named Motive Magic Mobile Windshield Repair (Motive Magic), 3161 Beale Street, Rapid City, SD 57703, and [REDACTED], Rapid City, SD 57703. Habersat advised that while she was running her audit reports on GSA fleet vehicles, she noticed Motive Magic had the second largest amount of windshield repairs in the country; which was odd since they were in Rapid City, SD, where there was not a large concentration of GSA vehicles. The only other vendor that had more windshield repairs was the Nationwide company Safelite AutoGlass. Habersat said another unusual occurrence was that Motive Magic had changed their WEX Site ID multiple times, having three different ones over a four-year span, which they should not be doing. WEX vendors had site ID's that allowed WEX to identify them. Most vendors kept the same ID and normally

only changed it when they split with a business partner and one of the partners created a new business. According to the Habersat, there have been “shady” car wash vendors in the past who have frequently changed their site IDs in order to confuse WEX about the transactions they were charging to WEX cards. Habersat was not sure if this was the same thing Motive Magic was doing, but it did seem suspicious.

12. Habersat suspected that Motive Magic might be driving around and obtaining GSA-leased vehicle license plate numbers and then calling those in for payment, even though no work was being done. She stated that all Motive Magic would need to do in order to make this successful was call into WEX and provide the operator with the following:

- (a) Their WEX Site ID (also referred to as vendor number)
- (b) GSA vehicle license plate number that the supposed repair was done on
- (c) Amount of repair (as long as it was \$100 or less)
- (d) Odometer reading
- (e) Type of repair

Habersat advised that the odometer reading that the vendors gave to WEX did not have to be sequential or even close to what the real odometer reading was on the vehicle because WEX did not check the vehicle’s odometer history. As long as the odometer reading was not something very odd like “12345,” or “99999,” it would be processed. If the vendor provided a really odd or unbelievable odometer reading, someone at WEX may follow-up on this, but this was not even certain.

13. Habersat stated that Motive Magic was a "Square" vendor, which meant they used a device called "Square" in order to receive payments for their services. Square vendors did not accept WEX cards for payment and so they had to call these repairs into WEX in order to get paid via a centrally-billed MasterCard. All Motive Magic had to do was call WEX, give them the required information listed in paragraph 12 above, and then WEX would pay them as long as the total amount of the repair was \$100 or less. If the repair was over \$100, WEX would transfer the call to a GSA Transportation Specialist at GSA's Accident Management Center and this person handled the payment to the vendor. When a GSA Transportation Specialist was involved, there were more checks and balances in place because they made sure that the odometer reading looked right and questioned the necessity of the repair being performed. This was not required for repairs that were \$100 or less.

14. Habersat has access to a database system referred to as WEX Online. Using this database system, she can access all of the detailed WEX vendor transaction information for any WEX vendor or any GSA vehicle. She can search WEX Online to obtain specific data for each transaction to include but not limited to: license plate number, date, time, agency point of contact information, vendor details, type of repair, and amount of repair. I also have access to WEX Online. Since the inception and throughout this investigation, Habersat has sent me numerous detailed transaction spreadsheets for Motive Magic relating to the repairs that the company charged on numerous government vehicles. A review of this data revealed that from January 2010 to March 2018,

Motive Magic charged for 2578 windshield repairs or replacements, amounting to \$271,383. The vast amount of these repairs were \$100 or less.

15. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs revealed that on July 10, 2017, Motive Magic charged the U.S. Department of Agriculture, Rural Housing Service in Rapid City, SD, for two windshield repairs that were \$50 each. The spreadsheet showed the repairs were done on Rural Housing vehicles with tag numbers G62-2923P and G61-0780K and the point of contact at Rural Housing for these vehicles was Linda Ochsner.

16. On August 14, 2017, I interviewed Ochsner and she advised that her records did not show any window or windshield repairs for vehicles G62-2923P and G61-0780K, but to contact Gail Besh because she was ultimately in charge of their vehicles. On August 15, 2017, I interviewed Besh, who stated that she was a Rural Housing Technician and confirmed she was in charge of these two vehicles. Besh advised that she was sure there were no windshield repairs done on these two vehicles in at least the past year and they had no records of any windshield repair ever being done for these two vehicles. She said she would have remembered if a repair like this would have been done. Besh spoke with another technician in their office named Gabby Bassett, who also confirmed this information. Besh and Bassett did remember a guy coming into their office and asking if they needed a windshield repair done to their government vehicles and they told him "no." I then spoke with Bassett, who added that an individual recently (name unknown) came into their office said he was at their building doing a windshield repair on another vehicle and told them there was a rock chip

on one of their vehicles and asked if he could repair it. Bassett went out to the parking lot with the man and asked him to show her the rock chip he was referencing, but said that there were no chips on the windshield to be repaired.

17. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs revealed that from 2012 to 2017, Motive Magic charged HHS, Indian Health Service (IHS) for approximately 458 windshield repairs on HHS IHS vehicles. On September 18, 2017, investigators interviewed HHS IHS Support Services Specialist Mark Richter, who was in charge of GSA vehicles for IHS in South Dakota, North Dakota, Nebraska, and Iowa, and has been in this position for approximately 16 years. Richter reviewed the details in the transaction spreadsheet for the 458 Motive Magic repairs, but was unable to find receipts showing that any of these repairs were done. This was a “red flag” for him because it was a requirement for local vehicle managers to upload their maintenance and repair receipts for their assigned vehicles. Richter also analyzed this spreadsheet to try to identify patterns and found that many of the vehicles that received repairs were those that did not move very much. He also found some of the repairs were done on Sunday, which was strange to him.

18. On September 18, 2017, investigators conducted surveillance at the Motive Magic business address, located at 3161 Beale Street, Rapid City, SD. This address is a large rectangular-shaped warehouse building that appeared to house multiple businesses that were separated by a wall in the building’s interior. Each business appeared to have its own entrance for people to go through as well as a large garage bay and garage bay door for vehicles to enter

and exit the building. The Motive Magic entrance door where people enter was labeled number "2" and had a Motive Magic sign on the door and another one just above the door. The large garage bay door immediately to the left of this entrance door appeared to also be part of the same Motive Magic workspace and had a Chevy Bronco registered to Robert Bland on a vehicle lift inside. There were also multiple vehicles parked in front of both the people entrance and garage bay that were registered to Robert Bland, one of which was a white Chevy 2500 Express van that had "Motive Magic" decals on the side of it. Furthermore, there was a Geo Metro parked outside that was also registered to Robert Bland and also had "Motive Magic" decals on it.

19. On September 19, 2017, investigators initiated windshield rock chip repairs to be done by Motive Magic on DOI OIG vehicles at the DOI OIG office in Rapid City, SD. Motive Magic owner Robert Bland was previously contacted and these repairs were scheduled through him. One of the investigators met with Bland in the DOI OIG parking lot to accompany him while he performed the repairs and found out the following information:

- a) Bland did his repairs on federal, state, and local government vehicles.
- b) All of Bland's company records and paperwork were at his house. He did all of the paperwork and accounting for his business at his house and nobody helped him with this.
- c) Bland was a "one man show" in that he was the only one who worked for his company and he did all of the window repairs and replacements by himself. He did not have any other employees; however, he did sometimes bring his step-dad with him when he went out to do repairs to just ride along and get out of the house.
- d) He could do several windshield repairs in one day and a good day was when he completed between six and ten repairs. It typically took him approximately 15 minutes to do one repair.

- e) Bland did not “group” repairs for multiple agencies and travel to places and do a bunch of them at one time because when an agency wanted a repair done, they wanted it done right away and did not want to wait.
- f) Heat and hot temperatures do not negatively affect a windshield repair and actually speed up the process. Cold temperatures dramatically slow down and retard the repair process. If it is cold outside, Bland has to use his workshop bay in order to bring the vehicle in and warm it up before he can do the repair.
- g) Bland did all windshield repairs and replacements at the customer’s location and rarely did them in his shop unless it was winter and cold outside or unless a customer wanted a place to drop their vehicle off.

20. On September 27, 2017, I requested and received a detailed WEX vendor transaction spreadsheet for Motive Magic repairs from December 4, 2008, to September 12, 2017, from Habersat. A review of this spreadsheet revealed that Motive Magic billed for numerous windshield repairs on the same vehicle windshield. There were 170 of these vehicles that received five or more windshield repairs, for a total amount of 1,488 repairs. Fifty-four of these vehicles received 10 or more windshield repairs and six vehicles received 20 or more repairs on the same vehicle windshield. Additionally, this spreadsheet showed there were 139 windshield repairs that had another repair done on the same vehicle within 51-75 calendar days. There were 172 repairs that had another repair done on the same vehicle within 16-50 days and there were 30 repairs that had another repair done on the same vehicle within 1-15 days later.

21. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs revealed that they billed the Army Corp of Engineers (ACOE) for numerous windshield repairs on several vehicles. On November 22, 2017, I interviewed ACOE Administrative Officers Jean Jones (J. Jones) and Tony Jones

(T. Jones). J. Jones said around the beginning of 2016, she and T. Jones took over the duty of being in charge of the fleet of GSA-leased vehicles for the ACOE in Rapid City, SD. They had maintenance and repair records for four vehicles that Motive Magic charged for windshield repairs numerous times since the beginning of 2016, to include: G13-0747S, G41-1421S, G61-0806R, and G61-1544R. J. Jones said she had never heard of Motive Magic and did not recall them ever doing any repairs on any of their vehicles. T. Jones remembered the name Motive Magic, but thought they only came out one time to evaluate a rock chip repair for one of their windows and did not end up doing the repair. Both J. Jones and T. Jones stated that they did not have any records of any Motive Magic repairs ever being done for any of their vehicles. Furthermore, T. Jones said any repairs that were done to a vehicle needed to be brought to his attention first as he was the person who inspected the vehicle and determined if it was necessary before the repair was done.

22. I referred to the detailed WEX vendor transaction spreadsheet for Motive Magic repairs and saw that they charged for windshield repairs for vehicle G41-1421S on July 17, 2016; November 4, 2016; April 25, 2017; June 13, 2017; and August 17, 2017. I asked J. Jones and T. Jones if it was possible that these repairs were done on this vehicle and they both said there was no way this was possible and they would have known about these repairs if they were done. I referred to the spreadsheet again and saw that Motive Magic charged for windshield repairs for vehicle G61-1544R four times in 2015, eight times in 2016 and five times in 2017, for a total amount of 17 repairs in the past approximate

three years. Both J.Jones and T.Jones stated that there was no way that this was possible and that they did not have records or receipts for any of these repairs. Jean went out to the parking lot, looked at this vehicle's windshield, and said it did not look like there were any windshield repairs done on this vehicle at all. She took pictures of the windshield and emailed it to me and upon review, I was not able to see anything that looked like a windshield chip repair on it.

23. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs revealed that Motive Magic charged the U.S. Navy for numerous windshield repairs on multiple vehicles. Many of these vehicles had several windshield repairs done on their same windshield and some of them had over ten repairs done on their same windshield. On November 27, 2017, I interviewed U.S. Navy Supply Technician Matt Olney, who confirmed that he was in charge of the GSA-leased vehicles that I was referring to. These vehicles and the number of Motive Magic charges for windshield repairs to these vehicles are listed in the table below:

<u>Vehicle Tag Number:</u>	<u># of Motive Magic Charges for Windshield Repairs:</u>
G10-1827N	8
G10-3616H	6
G10-3617H	1
G10-5813M	13
G10-6353L	2
G13-4523L	13
G13-4524L	7
G61-1595P	9

24. Olney said the protocol was that when a GSA-leased vehicle needed maintenance or repairs, the individuals at the Rapid City office would get this work done, submit an Agency Incurred Expense report, and submit this along

with receipts to him for the work that was done. He did not know the name Motive Magic and said he should know this name if the company did any repairs on these vehicles because he would have seen the receipts for these repairs. Olney did not recall any windshield repairs ever done to any of these vehicles and only remembered that there may have been a windshield replacement done by Safelite Auto Glass on one of them. In fact, anytime there was a windshield issue with any of the GSA-leased vehicles, the recruiters were always referred to Safelite AutoGlass, not Motive Magic. Olney stated that each of these GSA-leased vehicles should have had a hard-copy paper file with them and this would be maintained by the Navy Recruitment Headquarters Office in Minneapolis, MN, by either Seth Swanson or Mike Brindel.

25. On November 29, 2017, I interviewed Navy Recruiting District Chief Seth Swanson, who confirmed that his office was in charge of maintaining the hard-copy files for the GSA-leased Navy vehicles listed in paragraph 23 above. Swanson reviewed his records and on December 8, 2017, he emailed me stating that they found partial records of maintenance and mileage logs for every vehicle listed above, except for G10-3616H and G10-3617H. Swanson also stated that they reviewed all of these records and found no documentation for windshield repairs from any vendor. I requested Swanson to send me copies of all of these records and on February 20, 2018, I received them from him.

26. I conducted a review of the vehicle files from Swanson and found that each of the files contained vehicle logs that had detailed information about the date/time that each vehicle was checked out by a vehicle operator, along

with check-out mileages, responsible parties, destinations, check-in mileages, and signatures. In addition, the files had numerous repair and fuel receipts in them; however, there were no receipts or indications in any of the files of Motive Magic windshield repairs being done. I compared the vehicle logs of the six files from Swanson with the detailed WEX vendor transaction spreadsheet for Motive Magic repairs on these same vehicles and found numerous irregularities, to include: windshield repairs that were supposedly done while vehicles were in transit between large distances and even different states; multiple repairs on the same vehicle windshields that were supposedly done months apart, but within only a few miles; instances where Motive Magic gave odometer readings for vehicles that the Navy vehicle logs showed the vehicles had not even reached yet; multiple repairs charged on different dates where Motive Magic gave the same odometer reading on the same vehicles; and numerous other odometer reading discrepancies.

27. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs for vehicle G61-2043H, a Jeep Grand Cherokee, revealed that Motive Magic charged for 12 windshield repairs between March 2011 and December 2017. This vehicle was leased to DOI's Office of the Special Trustee for American Indians (OSTIA) and the point of contact for this vehicle was OSTIA Fiduciary Trust Officer Jewell Pretty Weasel. Weasel provided SA Hoben with the file for this vehicle, which included vehicle logs and maintenance records for this vehicle from October 2010 through March 2018. On March 20, 2018, SA Hoben reviewed these records and was only able to find documentation that

corroborated two Motive Magic repairs; one dated October 24, 2011, for \$583.65 (rear window replacement), and the other dated January 12, 2012, for \$245.04 (side window replacement). There were no receipts found for any of the Motive Magic charges and no other records were found for the other 10 Motive Magic charges.

28. On March 26, 2018, SA Hoben and Inspector Muller took OSTIA vehicle G61-2043H to two separate and independent auto glass repair shops in Rapid City, SD, to have them inspect this vehicle and give their professional assessment as to how many windshield repairs have been done on this vehicle. The two repair shops were Frontier Auto Glass, LLC, 301 Main Street, Rapid City, SD, and Dakotaland Auto Glass, 319 East North Street, Rapid City, SD. Professional technicians from both repair shops inspected the windshield of vehicle G61-2043H and both revealed the same separate conclusion that there had only been one windshield repair ever done on this vehicle's windshield. On April 23, 2018, SA Hoben met with Mike Browning, Body Shop Manager, Liberty Superstores, Rapid City, SD. Liberty Superstores is a Jeep dealership. Browning reviewed an image of the front windshield of G61-2043H and stated that the "MOPAR" marking on the windshield indicated that it was the factory-installed windshield. SA Hoben also took pictures of the vehicle's windshield and it appeared to the normal person there was only one rock chip repair done to it.

29. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs for vehicle G41-1329N revealed that Motive Magic charged for 16 windshield repairs between March 2011 and December 2017. This vehicle

was leased to HHS IHS Sioux San Indian Hospital in Rapid City, SD, and the point of contact for this vehicle was HHS IHS Supervisory General Supply Specialist Brian LeBrun. On March 19, 2018, LeBrun provided Inspector Muller a 186-page file for vehicle G41-1329N, that included the maintenance and repairs that were performed on this vehicle since it was issued to HHS IHS in 2013. Inspector Muller reviewed this file and was unable to find any records associated with any Motive Magic repairs. Additionally, Inspector Muller compared the HHS IHS maintenance records for this vehicle with the Motive Magic charges and found vehicle odometer discrepancies as well as the fact that five of the 16 dates in which Motive magic repairs purportedly took place; the vehicle was not located in Rapid City, SD. In fact, on one occasion in September 2015, records reflect the vehicle was in North Dakota during the time Motive Magic claimed to have done the windshield repair.

30. On March 27, 2018, Inspector Muller and SA Hoben took HHS IHS vehicle G41-1329N to two separate and independent auto glass repair shops in Rapid City, SD, to have them inspect this vehicle and give their professional assessment as to how many windshield repairs have been done on this vehicle. The two repair shops were SafeLite AutoGlass, 1141 Deadwood Ave. West, Rapid City, SD, and Rapid Auto Glass, 207 E. North Street, Rapid City, SD. Professional technicians from both repair shops inspected the windshield of vehicle G41-1329N and both revealed the same separate conclusion that there had only been three windshield repairs ever done on this vehicle's windshield. Additionally,

both technicians said the vehicle still had the same factory-installed windshield in it.

31. On March 27, 2018, Inspector Muller interviewed LeBrun. LeBrun was in charge of the fleet of GSA-leased vehicles at the IHS Sioux San Indian Hospital in Rapid City, SD, which consisted of approximately 20 vehicles (past and present). Inspector Muller identified that LeBrun and vehicle operators at the IHS Sioux San Indian Hospital generated and maintained extensive records regarding the operation and maintenance of GSA vehicles leased to IHS at this facility. All IHS documents and other records reviewed for the 20 vehicles associated with this facility were from 2011 to present. Inspector Muller was only able to locate two Motive Magic invoices in all of these records and asked LeBrun why there were not more. LeBrun stated that he seldom had a need for vehicle glass replacement or repair work on his GSA-leased vehicles and he could not recall any glass chip repairs being done to any of his vehicles since approximately 2014. A review of a detailed WEX vendor transaction spreadsheet for Motive Magic repairs revealed that Motive Magic charged for 92 windshield repairs or replacements involving these 20 vehicles, 36 of which occurred between 2015 and present.

32. Based on over 15 years of training and experience in law enforcement, I know that individuals who steal property of the U.S. government or otherwise engage in the fraud described herein often store the fruits and instrumentalities of their crimes in their homes. Moreover, Bland told an investigator from DOI OIG that he kept his company records and paperwork at

his house and that he did all of the paperwork and accounting for his business at his house, which is located at [REDACTED], Rapid City, South Dakota, 57703. Additionally, my experience in fraud cases such as this one has shown me that evidence of crimes is kept at the business location. Based on physical surveillance and records from GSA, I was able to confirm that Bland's business location for Motive Magic is located at 3161 Beale Street, Rapid City, South Dakota, 57703. It is reasonable to believe that evidence of the aforementioned crimes listed in this affidavit will be found in Motive Magic's business location and Bland's residence.

**SEARCH OF COMPUTERS AND OTHER MEDIA**

33. I know computer hardware, software and other media may be important to a criminal investigation in two distinct ways: (1) the objects themselves may be contraband, evidence, instrumentalities, or fruits of crime, and/or (2) the objects may be used as storage devices that contain contraband, evidence, instrumentalities, or fruits of crime in the form of electronic, optical or magnetic data. I request permission to search and seize any computers, peripheral equipment, hardware, software, any type of electronic, magnetic or optical media, instruction manuals, system documentation, notes, or other type of correspondence relating to any computer or media device containing evidence of any crimes alleged in this affidavit.

34. From my experience and training in fraud investigations I know individuals typically use computers and electronic media in the commission of the crimes being committed. It is common for individuals to use computers to

connect to the internet as well as to create, save and edit emails, spreadsheets, word documents, databases, power points, and various other files for day-to-day activities. It is customary for persons in the business of providing services to customers to maintain records relating to the business in computers and electronic media. Such business records allow access to relevant data on a business' associates, customers, contractors, employees, and vendors when called upon to provide additional services and/or account for funds received from or due to associates, customers, contractors and vendors. Based on my training and experience, such records are often stored or filed, in physical or electronic form, at the registered address for a business and/or the location where the business physically provides its services.

**NECESSITY TO SEARCH & SEIZE COMPUTERS AND OTHER MEDIA**

35. I request permission to search and seize any computers and/or any devices potentially capable of creating, storing, displaying, analyzing, converting, transmitting, receiving, and/or deleting electronic, magnetic or optical computer impulses or data that is found at the search warrant site. I know from my training and experience and from conferring with computer forensic specialists that electronic, magnetic or optical data are typically stored on many devices to include, but not limited to hard drives, CDs, DVDs, tapes, floppy disks, Universal Serial Bus (USB) drives, cameras, MP3 players, Personal Digital Assistants (PDA), iPhones, iPods, cell phones, Blackberries, gaming systems, or memory cards. There are varieties of media devices available to the general public designed to creatively conceal the storage of data and have the potential to be

utilized by an offender to store illicit materials to include, but not limited to pens, watches, key chains, necklaces, rings, bracelets, knives, toys, wine corks, clothing, and shoes. These unique items normally have some type of computer interface connection on them such as a USB, fire-wire and/or wireless network card that allows them to connect to a computer or computer-related device for data transfer. There has been a recent proliferation of media devices because technological advances allowed manufacturers to greatly reduce the cost and size of these devices, while increasing storage capacity. This reduction in physical size and increase in storage capacity greatly enhances an offender's ability to conceal data. Because of the reduction in physical size, evidence could be in many places and locations not normally considered during a search warrant. A standard solid-state memory card, manufactured by a variety of companies used in a multitude of devices, is roughly the size of a standard postage stamp, with the ability to store 16 gigabytes. This is the equivalent of approximately 16,000 books or over 4,000,000 printed pages. As a result, the search team must search small areas and containers at the search warrant site.

**NECESSITY TO REMOVE COMPUTERS AND  
OTHER MEDIA FROM SEARCH WARRANT SITE**

36. I know from my training and experience and from conferring with computer forensic specialists that conducting an image and search of a computer and/or other media, documenting the process, and making evidentiary, backup and archival copies is a lengthy process. First, it is necessary to determine no security devices are in place to cause destruction of evidence during the imaging or search. Sometimes a computer forensics specialist needs to seek additional

technical expertise to image and search the computer or other media in a forensically sound manner. Computers and other media are extremely vulnerable to accidental and/or deliberate destruction or alteration through error, tampering, electrical outages, magnets, external signals, frequencies and various other causes. Computers and other media devices usually contain large volumes of data that takes considerable time to image and search. Due to the volume, complexity, security, and vulnerability of this data, these devices may need to be removed from the premises to retrieve data. Computers and other media used are themselves instrumentalities or fruits of crime may need to be kept as original evidence.

37. The accompanying software programs also need to be seized because data created with certain software can be proprietary, meaning the data can only be interpreted by that software and is sometimes impossible to examine otherwise. Examination of this data is necessary to determine if it contains information pursuant to the "items to be seized" section of this affidavit. Instruction manuals, system documentation, notes, or other types of correspondence relating to computer or media device will need to be seized because it could contain passwords, usernames, instructions, hints, codes, keywords, etc., necessary to operate and interpret the computers or media examined.

38. I know from my training and experience and from conferring with computer forensic specialists that conducting a thorough search of computers and other media can be extremely time consuming. Examinations can take

weeks, months or even years to complete when analyzing large amounts of data.

This is true because of the following:

a.) The volume of evidence: Computers and media devices (such as hard drives, CDs, DVDs, tapes, floppy disks, USB drives, cameras, MP3 players, PDAs, iPhones, iPods, cell-phones, Blackberries, gaming systems, and memory cards) can store the equivalent of millions of pages of information. An offender may seek to conceal electronic, optical or magnetic data by storing it in random order, using deceptive file names, erasing it, storing it in unallocated space that the operating system does not recognize, using encryption, password protection or compression, or hiding the data in other files. An in-depth examination of just one computer or device can take forensic specialists a large amount of time. It would be impractical and invasive to attempt this kind of search onsite.

b.) Technical standards and requirements: Analyzing computers and other media for evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer systems available requires even computer experts to specialize in certain systems and applications. It also means that computer forensic specialists have to sometimes contact other specialists or technical representatives for assistance, which takes time.

c.) Variety of Forms of Media: It is difficult to know prior to the search which computer forensic specialist possesses sufficient skills to best analyze any given computer or media device. Data analysis protocols

are exacting scientific procedures that are designed to protect the integrity of the data and recover potential evidence in a forensically sound manner. Additionally, due to the large variety of media storage devices from potentially hundreds of different manufacturers, computer forensic specialists will have no way of knowing which equipment to bring to properly image all of the media at the search warrant site. A controlled environment is therefore essential to complete the imaging and examining process of the computers and all other media.

d.) Necessity to search all data on computers and other media: Searching for a particular piece of evidence can be a painstaking and complicated process. A suspect may try to conceal criminal evidence by storing it in random order and/or with deceptive file names. For example, a document created for the purpose of perpetrating fraud will not likely be labeled "Fraud.doc," but rather will likely be labeled something less conspicuous by its creator to avoid detection. File extensions (such as ".doc" in the previous example – connoting that it is a Microsoft Word file or ".jpg," which signifies that it is a picture file) can be intentionally altered to look like another type of file. A child pornography image could be initially saved on a computer as kiddieporn.jpg, but later deceptively renamed to sundayschoollesson.doc by its creator. Sometimes each file will need to be opened up and examine. Offenders can conceal evidence by encrypting data, password protection and/or using code words to discuss a fraudulent transaction. Documents can be scanned into a

computer file in various formats. These files need to be individually opened for examination. Offenders can save and conceal data on their computers or other media devices and that is why a full examination of these devices takes a considerable amount of time and would be impractical to do on the search warrant site.

39. I request the Court's permission to search and seize any computers, peripheral equipment, hardware, software, any type of electronic, magnetic or optical media, instruction manuals, system documentation, notes, or any other type of correspondence potentially relating to any computer or media device located at the aforementioned location to be searched.

40. I am aware that the recovery of data by a computer forensic analyst takes significant time; much the way recovery of narcotics must later be forensically evaluated in a lab, digital evidence will also undergo a similar process. For this reason, the "return" inventory will contain a list of only the tangible items recovered from the premises. Unless otherwise ordered by the Court, the return will not include evidence later examined by a forensic analyst.

#### **REQUEST TO SEAL**

41. I request that the Court order that all papers submitted in support of this application, including this affidavit, the application, the warrant, and the Order itself, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an opportunity

to flee, destroy or tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.

**CONCLUSION**

Based upon the foregoing, I respectfully submit there is probable cause to believe that Robert Bland is using his business Motive Magic to steal from and/or defraud the United States. I seek the Court's authorization to search the locations listed in Attachment I "Locations to be Searched" and seize the items listed in Attachment II "Items to be Seized," sections of this affidavit. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.


Respectfully submitted this 8th day of May, 2018.

  
\_\_\_\_\_  
Special Agent Jeremy Sausto  
GSA-OIG

Sworn to before me and:

- ☐ signed in my presence.
- ☐ submitted, attested to, and acknowledged by reliable electronic means.

this 8th day of May 2018.

  
\_\_\_\_\_  
Daneta Wollmann  
U.S. Magistrate Judge

ATTACHMENT A  
DESCRIPTION OF PROPERTY TO BE SEARCHED

1. The location to be searched is the residence of Robert R. Bland with the physical address of [REDACTED], Rapid City, South Dakota, 57703, Parcel ID: 38-10-255-013. This includes property of the house as well as all other buildings, sheds, garages, boats, campers, trailers, and vehicles located on this property.

2. This property is a single story, single family residence that is tan in color and has white trim. The number "[REDACTED]" is clearly displayed to the left side of the front door. There is a shed and two car detached garage located on the property that are also tan in color with white trim.

3. Photographs of the residence address are set forth below:





ATTACHMENT B

DESCRIPTION OF ITEMS TO BE SEIZED:

1. Any and all of the following records and documents in any form pertaining to Motive Magic and Robert Bland:
  - a. Records and documents related to any government vehicle repair, to include but not limited to: invoices, payments, purchase orders, Square Vendor records, receipts, letters, spreadsheets, databases, memos, photographs, notes, emails, communications, and any type of correspondence.
  - b. General Services Administration Wright Express (WEX) fuel cards and records.
  - c. U.S. General Services Administration related records.
  - d. Bank account records and statements.
  - e. Accounting records and ledgers
  - f. Federal and state tax records, such as tax returns and supporting documentation, forms, and schedules.
  - g. Any and all financial records, income/expense summaries, asset listings, notes, and ledgers.
  - h. Computers (desktops, laptops, and tablets), peripheral equipment, hardware, software, any type of electronic, magnetic or optical media, instruction manuals, system documentation, notes, or any other type of correspondence potentially relating to any computer or media device.
  - i. External and internal hard drives, thumb drives, flash drives, SD cards, storage discs (CDs and DVDs), and cameras.
  - j. Cellular telephones, smart phones and phones with photo taking and/or internet access capabilities.